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TOMASZ BEDNARZ
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Debtor Pro Se

FILED
APR 27 2010
UNITED STATES
BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

TOMASZ BEDNARZ,)	No. 2:10-bk-06422-RTB
)	
Debtor.)	
)	Chapter 7 Proceeding
<hr/> M&I MARSHAL & ILSLEY BANK,)	
)	
Movant,)	RESPONSE TO MOTION TO LIFT
)	THE AUTOMATIC STAY
v.)	
)	
TOMASZ BEDNARZ and)	
BOGUSLAWA R STEFANIAK, Debtors,)	
Maureen Gaughan, Trustee,)	
)	
Respondents.)	
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COMES NOW debtor, Tomasz Bednarz, and for his response to the motion to lift the automatic stay and enters the following.

1. It is noted that Boguslaw R Stefaniak, the former wife of debtor is not a debtor in this matter and did not file any petition pursuant to which the court should or could lift the Stay of 11 U.S.C. 362; accordingly, the motion improperly lists her as both a debtor and a respondent..

2. Answering the balance of the motion commencing on page 2 (the pages are unnumbered), line 13, debtor alleges that the filing of the petition and the trustee's sale both took place on the same day. Upon information and belief, the filing of the petition preceded the sale. There is no question that the filing preceded the filing of any trustee's deed.

Accordingly, the motion should be denied. The stay of 11 U.S.C. 362 was in place at the time of the trustee's sale.

Debtor would further note that he is contemplating filing a Chapter 13 proceeding to rehabilitate the note and deed of trust in question.

Dated this 26 day of April, 2010.


TOMASZ BEDNARZ

A copy of the foregoing
mailed this 26 day of
April, 2010 to:

Mark S Bosco
Leonard J McDonald
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